



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 13, 2000

William L. Golding, Treasurer
Golding 98 Congress
2011 Michigan Avenue
Cocoa, FL 32926

RE: MUR 5077
Golding 98 Congress and
William L. Golding, as treasurer

Dear Mr. Golding:

On August 22, 2000, the Federal Election Commission ("the Commission") found that there is reason to believe Golding 98 Congress and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael E. Scurry, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,



Darryl R. Wold
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc:

David Ross Golding
2011 Michigan Avenue
Cocoa, FL 32926

21-04-405-3103

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Golding 98 Congress
 William L. Golding, Treasurer

MUR: 5077

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended, ("the Act") requires treasurers of the principal committee of a candidate for the House of Representatives or for the Senate to file periodic reports of receipts and disbursements. Congressional committees must file on a quarterly schedule. In addition, provisions of the act require committees supporting candidates involved in the general election to file reports of their financial activity 12 days before the election. See 2 U.S.C. §434 (a)(2)(A)(i). The reports include financial activity as of the 20th day before the general election.

Golding 98 Congress ("the Committee") is the principal committee for David Golding. William L. Golding is the treasurer of the committee (collectively "the Respondents").

The Committee has failed to file its 1998 12 Day Pre General Report of receipts and disbursements covering the period October 1 through 14, 1998. The Committee was notified on December 29, 1997 and on September 30, 1998 that the 12 Day Pre General Report ("the Report") was due on October 22, 1998. A Non-Filer Notice for the Report was sent via mailgram to the Committee and its treasurer on October 23, 1998. The Non-Filer Notice

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informed the committee that failure to file the Report within four business days might result in publication, audit or legal enforcement action. The name of the Committee was published on October 30, 1998 for failure to file the Report.

On January 26, 1999, the Reports Analysis Division ("RAD") analyst attempted to call David Golding, the candidate, concerning the non filing of the Report. The analyst left a message for the candidate. On March 24, 1999, David Golding contacted the RAD analyst. David Golding stated the Report would be in the mail on Monday, March 29, 1999. On May 6, 1999, the RAD analyst left a message for the candidate. On May 13, 1999, the RAD analyst spoke to David Golding, explaining the Report needed to be filed, and gave the candidate specific instructions on how to find his committee's reports on the Internet. On June 11, 1999, the RAD analyst contacted David Golding to remind him the Report had not been received. David Golding stated he would deliver it Wednesday, June 15, 1999. As of this date, the report has not been filed.¹

Therefore, there is reason to believe Golding 98 Congress and William L. Golding, as treasurer, violated 2 U.S.C. §434 (a)(2)(A)(i) by failing to file the 1998 12 Day Pre-General Report by Election Day.

¹ The committee also failed to file its 1998 30 Day Post General, 1998 Year End, 1999 Mid Year, and 1999 Year End Reports.